



Honorable Linda B. Riegle
United States Bankruptcy Judge



Entered on Docket
December 19, 2011

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Attorneys for USACM Liquidating Trust

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:

USA COMMERCIAL MORTGAGE
COMPANY,

Debtor.

Case No. BK-S-06-10725-LBR

CHAPTER 11

**ORDER GRANTING USACM
TRUST'S MOTION TO AMEND
COURT'S ORDER SUSTAINING
THIRD OMNIBUS OBJECTION RE
THE HFAH ASYLUM, LLC LOAN**

**Hearing Date: November 15, 2011
Hearing Time: 9:30 a.m.**

The Court considered the USACM Liquidating Trust's Motion To Amend Court's Order Sustaining Third Omnibus Objections Re: The HFAH Asylum, LLC Loan (The "Motion") [DE 9388] at the hearing held on November 15, 2011. Appropriate notice of the Motion was given, no response was filed, and there is good cause. Accordingly,

IT IS ORDERED:

1. The Motion [DE 9388] is granted. The Order Sustaining the Third Omnibus Objection to Proofs of Claim Based Upon an Investment in the HFAH Asylum, LLC Loan [DE 9484] is amended as follows with regard to the Proofs of Claim listed below:



- 1 a. To the extent that Proof of Claim No. 10725-02226 filed by Dennis Raggi
2 relates to a \$100,000 investment in the HFAH Asylum, LLC Loan, the claim
3 is hereby allowed in the amount of \$30,000.00 (30%) and disallowed in the
4 amount \$70,000.00 (70%); and
5 b. To the extent that Proof of Claim No. 10725-01878 and 10725-01880 filed
6 by Dennis Raggi relate to investments in the HFAH Asylum Loan, they are
7 hereby allowed in the amount of \$0.00.
8

9 PREPARED AND RESPECTFULLY SUBMITTED BY:

10 **LEWIS AND ROCA LLP**
11

12 By /s/ John Hinderaker (AZ #018024)

13 Robert M. Charles, Jr.

14 John Hinderaker (*pro hac vice*)

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LOCAL RULE 9021 CERTIFICATION

In accordance with LR 9021, counsel submitting this document certifies that the order accurately reflects the court's ruling and that (check one):

_____ This Court has waived the requirement set forth in LR 9021(b)(1).

xxxx No party appeared at the hearing or filed an objection to the motion.

_____ I have delivered a copy of this proposed order to all counsel who appeared at the hearing, and any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below [list each party and whether the party has approved, disapproved, or failed to respond to the document]:

_____ I certify that this is a case under Chapter 7 or 13, that I have served a copy of this order with the motion pursuant to LR 9014(g), and that no party has objected to the form or content of the order

U.S. Trustee: <u>Augie Landis</u>	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input checked="" type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document
Other Party: _____	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document

Submitted by:
LEWIS AND ROCA LLP

By: /s/ John Hinderaker. (AZ #018024)
Attorneys for USACM Liquidating Trust

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